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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-09-00483 SBA
)	
12 Plaintiff,)	STIPULATION AND ORDER
)	REQUESTING CONTINUANCE OF
13 v.)	CHANGE OF PLEA AND SENTENCING
)	HEARING
14 DANIEL DONATO VARELA)	
)	Hearing Date: January 12, 2010
15 Defendant.)	Requested Date: January 26, 2010
)	

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17 The above-captioned matter is set on January 12, 2010 for change of plea and sentencing.
18 Defense counsel will be engaged in trial before Judge Wilken on that date. Accordingly, the
19 parties ask that the date for entry of plea and sentencing be changed to January 26, 2010 at 10:00
20 a.m. The assigned United States Probation Officer is available on that date. The parties further
21 stipulate and request that the Court exclude time between the date of this stipulation and January
22 26, 2010 under the Speedy Trial Act for continuity of defense counsel, and pursuant to 18 U.S.C.
23 §§ 3161(h)(7)(A), (B)(i), and (B)(iv).
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25
26

January 5, 2010

/s/

NED SMOCK
Assistant Federal Public Defender

January 5, 2010

/s/

WADE RHYNE
Assistant United States Attorney

SIGNATURE ATTESTATION

I hereby attest that I have on file all holograph signatures for any signatures indicated by
a “conformed” signature (/S/) within this e-filed document.

ORDER

Based on the reasons provided in the stipulation of the parties above, IT IS HEREBY ORDERED THAT the change of plea and sentencing hearing date of January 12, 2010 is vacated, and a new date for change of plea and sentencing is set for January 26, 2010 at 10:00 a.m. Time between this date and January 26, 2010 is excluded under the Speedy Trial Act to allow for continuity of defense counsel pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), and (B)(iv).

IT IS SO ORDERED.

1/11/10
Date


HON. SAUNDRA BROWN ARMSTRONG
United States District Judge